

Message Text

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INFO OCT-01 ISO-00 SS-15 SP-02 PRS-01 INR-07 ARA-06 NSC-05

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P R 192004Z NOV 76 ZFF DUBLIN
FM AMEMBASSY LONDON
TO SECSTATE WASHDC PRIORITY 7922
INFO AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY COPENHAGEN
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E.O. 11652: N/A

TAGS: PINT, PFOR, PINR, UK

SUBJECT: AGEE CASE: CURRENT DEVELOPMENTS

REF: LONDON 18635

SUMMARY: HOME SECRETARY REES NOVEMBER 18 MADE A STATE-
MENT AND ANSWERED QUESTIONS IN COMMONS REGARDING THE PRO-
POSED DEPORTATION OF FORMER CIA EMPLOYEE AGEE AND
AMERICAN JOURNALIST MARK HOSENBALL (REFTEL). REES
EXPLAINED THE OPERATION OF THE IMMIGRATION LAW IN
SECURITY CASES AND THE GENERAL CHARGES AGAINST BOTH
MEN, BUT REFUSED TO GO INTO DETAIL. HE ALSO AFFIRMED
THAT WHILE THE SUBJECTS HAVE NO RIGHT TO APPEAL THE
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DEPORTATION DECISION, HE WILL CONSIDER ANY REPRESENTATION

STATIONS THEY MAKE TO THE ADVISORY REVIEW PANEL OR TO HIM DIRECTLY. CONSERVATIVE SPOKESMAN WHITELAW ENDORSED REES' DECISION AND ASKED THAT COMMONS JOIN HIM. THE PRESS HAS CONTINUED TO GIVE THE STORY PROMINENT COVERAGE, AND SEVERAL PAPERS, INCLUDING THE TIMES, HAVE BACKED THE GOVERNMENT'S DECISION. THE ISSUE, HOWEVER, REMAINS POLITICALLY NETTLESOME FOR THE GOVERNMENT. END SUMMARY.

1. HOME OFFICE SECRETARY MERLYN REES READ A STATEMENT TO COMMONS EXPLAINING THE GOVERNMENT'S DECISION TO PROCEED WITH THE DEPORTATION OF FORMER CIA EMPLOYEE PHILIP AGEE AND JOURNALIST HOSENBALL. HIS MAJOR POINTS WERE:

-- WHILE NORMAL DEPORTEES HAVE A STATUTORY RIGHT TO APPEAL A DEPORTATION ORDER IN COURT, THIS RIGHT IS DENIED IN CASES INVOLVING SECURITY MATTERS, THOUGH AGEE AND HOSENBALL DO HAVE THE RIGHT TO MAKE REPRESENTATIONS WITHIN 14 DAYS TO THE ADVISORY REVIEW PANEL WHICH WILL HEAR THE CASE IN CAMERA.

-- INDIVIDUALS MAKING SUCH REPRESENTATIONS ARE NOT ENTITLED TO LEGAL COUNSEL, BUT MAY BE ASSISTED BY FRIENDS AND PRESENT TESTIMONY OF THIRD PARTIES.

-- AGEE IS CHARGED WITH MAINTAINING "REGULAR CONTACTS (WITH FOREIGN INTELLIGENCE OFFICERS) HARMFUL TO THE SECURITY OF THE UK"; INVOLVEMENT "IN DISSEMINATING INFORMATION HARMFUL TO THE SECURITY OF THE UK"; AND AIDING OTHERS TO OBTAIN INFORMATION WHICH, IF PUBLISHED, COULD HARM THE UK.

-- HOSENBALL IS CHARGED WITH OBTAINING FOR PUBLICATION INFORMATION HARMFUL TO UK SECURITY, INCLUDING "INFORMATION PREJUDICIAL TO THE SAFETY OF SERVANTS OF THE CROWN".

-- BEFORE TAKING A FINAL DECISION TO DEPORT THEM, REES WILL CONSIDER THE ADVICE OF THE REVIEW PANEL AND ANY REPRESENTATIONS MADE DIRECTLY TO HIM.

-- THE GOVERNMENT IS NOT PREPARED TO GO INTO LIMITED OFFICIAL USE

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GREATER DETAIL AS TO THE CHARGES AGAINST AGEE AND HOSENBALL BECAUSE OF SECURITY CONSIDERATIONS.

2. RESPONDING TO A QUESTION FROM LEFT-WING LABORITE JUDITH HART, REES INDICATED HE WAS UNWILLING TO SEE AGEE AND REFUSED TO PROVIDE FURTHER DETAILS IN HIS CASE, SPECIFICALLY THE NATURE OF HIS CONTACTS WITH FOREIGN INTELLIGENCE OPERATIVES. LABOR RIGHT-WINGER

PHILLIP WHITEHEAD SOUGHT UNSUCCESSFULLY TO DRAW REES
OUT ON THE HOSENBALL CASE, WHILE TORY BACKBENCHER
WINSTON CHURCHILL WAS UNABLE TO OBTAIN CONFIRMATION
THAT THE SUBJECTS HAD MET WITH CUBAN AND SOVIET
INTELLIGENCE AGENTS. CONSERVATIVE FRONTBENCH SPOKESMAN
WILLIAM WHITELOW, HOWEVER, SUPPORTED THE HOME
SECRETARY'S DECISION AND ASKED COMMONS TO DO LIKEWISE.

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ACTION EUR-12

INFO OCT-01 ISO-00 SS-15 SP-02 PRS-01 INR-07 ARA-06 NSC-05

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INFO AMEMBASSY BONN

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3. WHILE THERE IS LITTLE DOUBT THAT THE BULK OF ALL
MPS WERE WILLING TO GIVE THE GOVERNMENT THE BENEFIT OF
THE DOUBT ON THESE CASES, THE CIVIL LIBERTARIANS RE-
MAINED RESTIVE. LABOR MP ARTHUR LEWIS (REFTEL) LATER
ASKED LEADER OF THE HOUSE FOOT TO ALLOW DEBATE ON THE

MATTER AND DEMANDED THAT AGEE AND HOSENBALL BE GIVEN THE OPPORTUNITY TO CHALLENGE THE DECISION IN COURT. FOOT, WHILE ACKNOWLEDGING THAT THE ISSUE IS OF LEGITIMATE PARLIAMENTARY CONCERN, REFUSED TO GIVE UP TIME FOR A DEBATE. LEWIS ALSO CARRIED OUT HIS EARLIER THREAT TO WITHHOLD HIS VOTE (REFTTEL), ABSTAINING ON TWO GOVERNMENT MEASURES NOVEMBER 18, INCLUDING THE SHIP-BUILDING AND AIRCRAFT INDUSTRY NATIONALIZATION BILL (SEPTTEL). SECRETARY REES ALSO REPORTEDLY MET WITH LIMITED OFFICIAL USE

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LABOR BACKBENCHERS FOR FURTHER DISCUSSIONS OF THE MATTER.

4. THE PRESS HAS CONTINUED TO GIVE THE AFFAIR PROMINENT COVERAGE. THE RIGHTWING TELEGRAPH NOVEMBER 18 EDITORIALY APPROVED THE GOVERNMENT'S ACTION, ALBEIT AMBIGUOUSLY, BY NOTING THAT THE HOME SECRETARY'S "DISCRETION HAD AT LEAST BEEN CONSCIENTIOUSLY EXERCISED". THE PRESTIGIOUS TIMES NOVEMBER 19 GAVE REES A STRONG BOOST -- WHILE CHARACTERIZING THE DEPORTATION PROCEEDING AS "DISTASTEFUL", IT ARGUED THAT THE DECISION IS NOT "AN INFRINGEMENT OF CIVIL LIBERTIES" SINCE IT WAS "CLEAR THAT THE OBJECTION WAS TAKEN TO THE TWO MEN ON SECURITY GROUNDS". OF THE POPULAR DAILIES, THE SUN NOVEMBER 18 EXPRESSED ITS CONFIDENCE IN REES, BUT ASKED HIM TO "BREAK THE SILENCE" AND "GIVE US THE FACTS"; THE MIRROR TOOK A SIMILAR TACK, DEMANDING THAT REES "SPEAK UP NOW ABOUT THIS PAIR OF 'QUIT BRITAIN' DECISIONS". THE EVENING STANDARD, HOSENBALL'S EMPLOYER, WAS ALREADY ON RECORD AGAINST THE GOVERNMENT'S "GROSS INJUSTICE" ASSERTING THAT IT CONSTITUTED "ANOTHER ATTEMPT TO INTIMIDATE AN INVESTIGATIVE JOURNALIST". THE INFLUENTIAL ECONOMIST REFERRED TO THE DEPORTATION CASES ONLY IN PASSING, WHILE THE NEW STATESMAN IGNORED THEM ENTIRELY. THE GUARDIAN, HOWEVER, CONTINUED TO STRESS THE PERCEIVED U. S. CONNECTION, CITING A NOVEMBER 18 TV INTERVIEW (PREVIOUSLY RECORDED) OF FORMER CIA OFFICIAL JOHN ANGLETON IN WHICH HE REFERRED TO CUBAN/SOVIET INTELLIGENCE COOPERATION AND LINKED IT TO A STATEMENT THAT "WE WERE SOMEWHAT DISPLEASED THAT ENGLAND HAS GIVEN A SAFE HAVEN TO THIS PERSON CALLED PHILIP AGEE".

5. COMMENT: ALTHOUGH REES' STATEMENT ANSWERED SOME OF HIS CRITICS, THE ISSUE IS BY NO MEANS DEFUSED, EITHER IN TERMS OF THE GOVERNMENT'S CONTINUING DIFFICULTIES WITH LABOR BACKBENCHERS OR POPULAR SUSPICIONS OF DIRECT USG INVOLVEMENT IN THE DECISION TO DEPORT.

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